

REMARKS

By this Amendment, claim 1 is amended and claim 3 is cancelled without prejudice to or disclaimer of the subject matter found therein. Accordingly, claims 1, 2 and 4-7 are pending in this application. No new matter is added. Reconsideration of the application is respectfully requested.

I. Allowable Subject Matter

Applicants gratefully acknowledge that the Office Action indicates that claims 3-7 include allowable subject matter. Specifically, the Office Action indicates that claims 3-7 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims.

Claim 1 is amended to incorporate all of the features of allowable claim 3. Therefore, claim 1 is allowable. Claims 2 and 4-7 depend from claim 1 and thus are also allowable.

II. Claim Objection

The Office Action objects to claim 1 because of an informality. Specifically, the Office Action asserts that the squares need to be replaced. Claim 1 is amended to replace the square with the symbol "Ω". Support for this amendment can be found at least at specification paragraph [0071]. Claim 1 is amended only to correct informalities, and thus is not narrowed by this amendment. Accordingly, withdrawal of the objection is respectfully requested.

III. Double Patenting Rejection

The Office Action provisionally rejects claims 1 and 2 under the judicially created doctrine of obviousness-type double patenting over claim 1 of co-pending U.S. Patent Application No. 10/766,925 to Kobayashi. A Terminal Disclaimer is filed herewith to obviate the provisional double patenting rejection. Accordingly, withdrawal of the rejection is respectfully requested.

IV. Rejection under 35 U.S.C. §102(b)

The Office Action rejects claims 1 and 2 under 35 U.S.C. §102(b) over U.S. Patent No. 6,461,531 to Kobayashi et al. or U.S. Patent No. 6,210,598 to Kobayashi et al. As discussed above, independent claim 1 is amended to incorporate the allowable features of cancelled claim 3. Therefore, claim 1 is allowable. Claim 2 depends from claim 1, and thus is also allowable. Accordingly, withdrawal of the rejection is respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2 and 4-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Terminal Disclaimer
Information Disclosure Statement

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